



FEB 03 2025

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
BY DEPUTY

STATE OF WASHINGTON; STATE OF
ARIZONA; STATE OF ILLINOIS; and
STATE OF OREGON, Plaintiffs

2:25-cv-00127 JCC

Against

DONALD TRUMP, et al. Defendants
MARK MARVIN, Petitioner

NOTICE OF BRANZBURG V. HAYES MOTION

For the following reasons, his Application under *Branzburg v. Hayes* (1972, 408 U.S. 665, 92 S.Ct. 2646) should come on before this honorable court (see: *Roberts v. U.S.* 1980, 445 U.S. 552, 557-58, 100 S.Ct. 1358, 1362, citing: *Branzburg v. Hayes*, 1972, 408 U.S. 665, 696, 92 S.Ct. 2646, 2664) and Complaint be dismissed. Petitioner says:

1, Plaintiffs seek Declaratory and Injunctive relief regarding defendants abandonment of unconstitutional practice of citizenship by accident of birth to mothers who are not citizens themselves. (Executive Order, January 20, 2025)

2, The Fourteenth Amendment Section 1 states “All persons born in the United States, and subject to the jurisdiction thereof, are citizens of the United States....” (owing allegiance)

3, Defendants contend that “newborns would be stripped of accidental citizenship” (Paragraph 3). This is commonly called a “right” i.e. “birthright citizenship.” Citizenship by birth provides for their “right to travel freely and re-enter the United States ...their right to vote, (the right) to serve on juries, and run for certain offices. (Paragraph 4) Plaintiffs describe rights to “fully and fairly be a part of American society as a (live) citizen with all its benefits and privileges.

4, Plaintiffs have expressed no concern for the non-aborted children and no plan to educate them in the advantages of “American society ... with all its benefits and privileges” so that they can responsibly vote, serve on juries, and run for certain offices.”

5, Plaintiffs’ real concern (Paragraph 5) is that “Plaintiff States will suffer immediate and irreparable harm by losing federal funding or reimbursement to programs....” (and that they vote “responsibly” for leftists who would have them aborted?)

4, Plaintiffs allude to almost every “right” except a “birthright right” to be born alive and not destroyed by an abortionist. For unfathomable reasons plaintiffs seek to protect every conceivable right of the newborn except the right of live birth as long as the non-aborted children grow up to vote for federal funding, etc. (vote responsibly for leftists)

5, Plaintiffs have expressed no desire to protect the right of an infant to be born alive, and consequently, their Complaint must be considered illogical, disingenuous, a hoax on the court and certainly not in the public interest and not justiciable.

WHEREFORE, as Plaintiff’s Complaint appears dishonest and contrary to the public interest, the Fourteenth Amendment clause “subject to the jurisdiction thereof” (owing allegiance) should be understood as applicable to citizenship: live born or aborted children who are subject to jurisdiction thereof (*U.S. v. Wang Kim Ark*, (1898) 169 U.S. 649) and dismissed.

See:

Von Schwerdtner v. Piper, D.C. Md, 23 F.2d 862, 863,

U.S. v. Minoru Yasui, D.C. Ore, 48 Supp. 40, 54,

Haaland v. Attorney General of U.S., D.C. Md., 42 F.Supp13, 22 (born outside US),

U.S. Hester, C.C.A., Okl, 137 F.2d 145, 147 (Indians),

National Banks, Am. Surety v. Bank of Calif., C.C.A. Or, 133 F.2d 160, 162.

Affirmed as true on information and belief,



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January 26, 2025


To:

U.S. District Court, Western District of Washington, 700 Stewart Street,
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U.S. Attorney, Att.: Brad Rosenberg, U.S. Dept of Justice, Civil Division,
Federal Programs, 1100 L. Street, NW, Washington D.C. 20005


January 27, 2025

In Washington state, medical doctors (physicians) and Advanced Registered Nurse Practitioners (ARNPs) can perform in-clinic abortions and prescribe pills for a medication abortion during the first 13 weeks of a pregnancy (the “first trimester”). After the 13th week, abortions must be done in a clinic by a doctor.



Legal Voice

<https://legalvoice.org> › abortion-rights-washington

Abortion Rights in Washington State | Legal Voice



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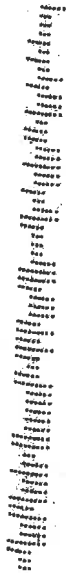
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Medication Abortion Access in Washington

Abortion, including medication abortion, is legal and protected in Washington state. **All 34 abortion clinics that DOH helps fund provide medication abortions.**



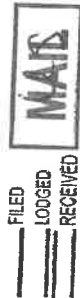
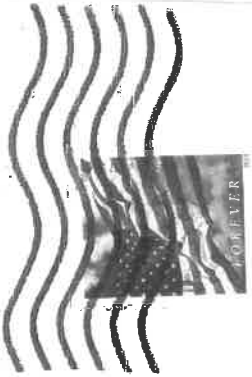
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